



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष २, अंक ४१]

मंगळवार, डिसेंबर २७, २०१६/पौष ६, शके १९३८

[पृष्ठे २, किंमत : रुपये ११.००

असाधारण क्रमांक ५५

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032,
dated the 26th December 2016

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPB 4316/CR-169/2016/UD-11.—Whereas, the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as “the said Regulations”) have been sanctioned by the Government in the Urban Development Department, under Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) *vide* Notification No. DCR 1090/RDP/UD-11, dated the 20th February 1991 so as to come into force with effect from the 25th March 1991;

And whereas, Regulation 33(6) Appendix-II of the said Regulations deals with the Reconstruction of buildings destroyed by fire or which have collapsed or which have been demolished etc.;

And whereas, as per sub-clause (6) of Regulation 33(6) Appendix-II of the said Regulations, provides the maximum area of a residential tenement in the reconstructed building shall not exceed 70 sq. m. or such larger area as may be decided by the State Government in deserving cases;

And whereas, the Municipal Corporation of Greater Mumbai (hereinafter referred to as “the said Corporation”) *vide* letter dated 2nd December 2015, has requested for modifications in existing provisions of DCR 33(6) including sub-clause (6) of Appendix-II of the said Regulations so as to allow area of tenements, having existing carpet area more than 70.00 sq. mt. should be given equivalent area in reconstructed building ;

And whereas, the Government finds it expedient to modify sub-clause (6) of Regulation 33(6) Appendix-II of the said Regulations, and whereas, in exercise of the powers conferred under sub-section (1AA) of Section 37 of the said Act, Government had issued Notice of even No. dated 1st August 2016 for inviting suggestions/objections from the general public with regard to the modification in respect of “the proposed modification” proposed in the Schedule in the said Notice and appointed the Dy. Director of Town Planning, Gr. Mumbai as the Officer (hereinafter referred to as “the said Officer”) to submit a Report on the suggestions/objections received in respect of the proposed modification to the Government, after giving hearing to the concerned persons;

(१)

And whereas, the said Notice dated 1st August 2016 was published in the *Maharashtra Government Gazette* (Extra-Ordinary Gazette) dated 18-24th August, 2016 and the said Officer has submitted his report *vide* letter dated 18th November 2016 through the Director of Town Planning, Maharashtra State, after completing the legal procedure stipulated under Section 37(1AA) of the said Act;

And whereas, after considering the above stated Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that the proposed modification is required to be sanctioned with some changes.

Now, therefore, in exercise of the powers conferred upon it under Section 37(1AA)(c) of the said Act, the Government hereby,—

(A) Sanctions the proposed modification as described more specifically in schedule appended hereto.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

(C) Directs the Municipal Corporation of Greater Mumbai that, in the Schedule of Modifications sanctioning the said Regulation, after the last entry, the Schedule appended hereunder shall be added.

SCHEDULE

Regulation No.	Existing Provision	Sanctioned Provision
Sub-clause 6. of D.C.R. 33(6) Appendix-II	6. The maximum area of a residential tenement in the reconstructed building shall not exceed 70 sq.m. or such larger area as may be decided by the State Government in deserving cases.	6. The Carpet area of residential/non-residential premises in the reconstructed building shall remain unaltered.
Add new Sub-clause 10		“10. Provision at Sr. No. 6 above is applicable for building which are under development but for which Occupation Certificate is not yet granted.”

This Notification shall also be published on the Government website-www.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,

SHRIRANG LANDGE,
Joint Secretary to Government.